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Security Council

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## Letter dated 21 November 2007 from the President of the Security Council to the Secretary-General

I have the honour to inform you that your report of 27 September 2007 pursuant to paragraph 5 of resolution 1762 (2007) (S/2007/568) has been brought to the attention of the Security Council.

The members of the Security Council take note of the contents of the report and in particular of the steps that you have "taken to provide for the appropriate disposition of United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) archives and other property under arrangements ensuring, in particular, that sensitive proliferation information or information provided in confidence by Member States is kept under strict control", in accordance with paragraph 5 of resolution 1762 (2007). Council members approve of the overall archiving procedure as set out in the report.

With regard to the issues raised in paragraph 35 of your report, the members of the Security Council suggest that access to the "confidential" information in the UNMOVIC archives be restricted for a period of 30 years and that access to the "strictly confidential" information be restricted for a period of 60 years.

Following the expiration of this period, confidential and strictly confidential information would be reviewed by the Secretary-General every five years. If the information was provided in confidence by a Member State, the Secretary-General would consult with that Member State. Following this review, the Secretary-General would have the discretion to recommend to the Security Council under a non-objection procedure the declassification of information.

Security Council members also support granting earlier access to the archives to Member States and relevant international organizations, such as the International Atomic Energy Agency (IAEA), the Organization for the Prohibition of Chemical Weapons and the United Nations Environment Programme, on a case-by-case basis, following careful consideration of the reasons for allowing such access. The Council suggests the nomination by the Secretary-General, with the approval of the Council, of a three-person ad hoc committee to recommend in each case whether such access should be granted. The recommendations of this committee would be sent to the Council under a non-objection procedure.

The members of the Security Council also recommend that the Secretariat expeditiously and economically transfer to the Government of Iraq all UNMOVIC property that is not proliferation-sensitive or subject to export control restrictions.

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Property that is sensitive or subject to restrictions should be appropriately disposed of at the earliest possible date in consultations with the State or entity from which the property was purchased or donated.

The members of the Security Council note the requirement of resolution 1762 (2007) that the Secretary-General transfer all unencumbered funds not used for payment of outstanding bills or for the costs associated with archiving and property disposition to the Development Fund for Iraq, and in that regard further note the transfer of 25.1 million United States dollars already made by the United Nations. If, following completion of the tasks outlined in resolution 1762 (2007), a portion of the encumbered 12 million United States dollars is unspent, Council members urge that it be transferred to the Development Fund for Iraq without delay. Members of the Council request an update each quarter on relevant spending by the United Nations.

The members of the Security Council welcome the continuing efforts of the Secretary-General and Secretariat staff of the United Nations to dispose appropriately of UNMOVIC archives and other property as soon as possible. The members request monthly updates in closing down UNMOVIC in a manner consistent with resolution 1762 (2007). The members also request a briefing on what steps the Secretariat is planning to provide for the enhanced physical security of the archives, in particular those containing sensitive proliferation information.

(*Signed*) R.M. Marty M. **Natalegawa**
President of the Security Council